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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MICHAEL LEBRUN ET AL

SERIAL NO. 08/945,144

FILED: OCTOBER 14, 1997

Art Unit: 1638

Examiner: D. Kruse

FOR: MUTATED 5-ENOL PYRUVYL SHIKIMATE-
3-PHOSPHATE SYNTHASE, GENE CODING
FOR SAID PROTEIN AND TRANSFORMED
PLANTS CONTAINING SAID GENE

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF TRANSMISSION [37 C.F.R. 1.8(a) and 1.6(d)]

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED VIA FACSIMILE, (703) 746-5068, PURSUANT TO
37 C.F.R. 1.8(a) and 1.6(d), TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231, ON THIS 20th DAY
OF May 2002.

BY:

Jean M. Marshall
Jean M. Marshall

SUPPLEMENTAL AMENDMENT

In response to the Official Action mailed November 20, 2001 and supplemental to the
Amendment mailed May 2, 2002, please amend this application as follows:

IN THE CLAIMS

Please amend claim 42 as follows:

42 (Amended). A modified nucleic acid molecule of plant origin encoding an EPSPS
enzyme, the modifications comprising:

a first modification of a coding sequence that normally encodes a threonine that is
located, relative to the gene from which it is derived, at position 102 of the amino acid sequence
of mature EPSPS sequence of SEQ ID NO: 3, to encode isoleucine in a mature plant EPSPS
sequence; and

a second modification of a coding sequence that normally encodes a proline that is
located, relative to the gene from which it is derived, at position 106 of the amino acid sequence

May-20-2002 11:34

From-

T-127 P.001/004 F-419

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TO: United States PTO, ATTN: Examiner David H. Kruse, Ph.D.

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COMMENTS: **Per our conversation of this morning, attached is a Supplemental Amendment regarding the above-referenced application. Thank you.**

CSLH:71185